

November 5, 2002



Marlene H. Dortch
Secretary
Federal Communications Commission
TW-A325
445 12th Street, SW
Washington, DC 20554

Re: Notice of *Ex parte* Presentation
MB Docket No. 02-70

Dear Ms. Dortch:

On November 4, 2002, Andrew Jay Schwartzman, counsel to Petitioners CFA, *et al.*, had two brief telephone conversations with Alexis Johns, Legal Advisor to Commissioner Copps pertaining to the proposed Comcast/AT&T merger.

In these conversations, Mr. Schwartzman largely repeated arguments previously made with respect to his clients' challenge to the proposed merger. He described Petitioners' arguments as to the adverse effects that grant of the merger would have on the video programming market, the price of MVPD programming for the public and its adverse effect on localism. Mr. Schwartzman also pointed out that, unlike AT&T, Comcast has made plain that it does not intend to compete in providing local telephony.

Respectfully submitted,

Andrew Jay Schwartzman
Counsel to Petitioners

cc. Alexis Johns